The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte THOMAS H. PETERSON

Appeal No. 2002-1323 Application No. 09/396,266 MAILED

FEB 2 7 2003

ON BRIEF

PAT. & T.M. OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

ORDER DISMISSING APPEAL

Before STONER, Chief Administrative Patent Judge; HARKCOM, Vice-Chief

Administrative Patent Judge; and JEFFREY T. SMITH, Administrative Patent Judge.

Per curiam.

Application No. 09/396,266

On August 16, 2001, applicant filed a Notice of Appeal (Paper No. 10). On February 6, 2003, applicant filed a communication withdrawing the appeal of the present application (Paper No. 13).

Accordingly, it is

ORDERED that the appeal filed August 16, 2001, (Paper No. 10) is dismissed.

Chief Administrative Patent Judge

GARY V. HARKCOM

Vice-Chief Administrative Patent Judge)

JEFFREY'T. SMITH

Administrative Patent Judge

BOARD OF PATENT APPEALS AND INTERFERENCES

JTS/kis

Appeal No. 2002-1323 Application No. 09/396,266

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